

# **al-Jihaad: Linguistically and Legally**

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**Introduction by Abuz-Zubair**

There is a misunderstanding of the word "Jihaad" amongst many of the Muslims today, who think it to mean any sort of struggle in the path of Allah, most commonly translated as "striving". This struggle (or striving) for them ranges from waking up in the morning for Fajr to giving Khutbahs and lectures on Islaam in Universities and other institutes. Whereas "Jihaad" is a shara'ee term which implies al-Qitaal (physical fight), even though linguistically it may mean Jihaad with the parents, like the statement of the Prophet SAW "Fa Feehima Fajaahid" meaning "strive in them (your parents)" or "Thumma Jahadaha fa qad wajab al-Ghusl" meaning "...then he strove on her, Ghusl becomes waajib". Just like the word "Salaah" which linguistically means D'u'a as in the saying of Allah, "Sali 'Alaihim" (at-Tawbah) meaning "...pray (or make du'a) for them..." but technically it means actions and statements from Takbeer to Tasleem. Similarly the Zakah, Sawm, Hajj and rest of these terms have their own linguistic meanings as well as legal meanings and it is not permissible for anyone to act upon the linguistic meaning while ignoring the legal shara'ee meaning. So a person cannot have performed Zakah (purification) by taking a shower each morning, rather Zakah in sharee'ah is performed by giving 2.5% of the annual savings to charity as an obligation. Similarly, one cannot perform Jihad by giving lectures, feeding the family or serving the parents, rather Jihad can only be performed in the field of al-Qitaal (lit. fighting), as the sharee'ah dictates.

Therefore when the word Jihad is used in the Qur'an and the Sunnah, in a general sense then it means Qitaal, and when it is mentioned in its linguistic sense (as in to strive with your parents and family etc.) then that is regarded to be Muqayyid (restricted) by the rules of Usoolul-Fiqh.

The following text is the translation of a section from the work of the Mujaahid Sheikh of this century ash-Sheikh ash-Shaheed 'Abdullah 'Azzam - may Allah have Mercy upon him - who was referred to as the "reviver of Jihad of this century" by the TIMES magazine. In this piece he explains the word "Jihaad" as an Arabic word and a Shara'ee term according to the classical scholars of the four Madhaahib.

Unfortunately, whenever Allah guides the Muslim youth to get up and fulfil the obligation and the Sunnah of Qitaal in the way of Allah, we find some people amongst the Muslims hindering the youth away from the legal Jihaad to linguistic Jihaad, which is what lead me to translate this piece of work, so that it may be beneficial to the Muslims in general and a final blow to the obstacles in the path of the youths seeking martyrdom in the way of Allah...

Abuz-Zubair

## **Al-Jihad Linguistically:**

It is taken from Juhud - Yajhadu - Juhdan. So initially al-Juhd is with Dhammah or Fathhah which is al-was' (strength) or at-Taaqah (power), and it is said: al-Juhd (with Dhammah) is al-was' (strength) or

at-Taaqah (power), and al-Jahd (with Fathhah) is al-Mushaqqaqah (hardship). Al-Jahd (with Fathhah) is used as al-Ghaayah (i.e. taking to limits):

"They swore by Allah their strongest (Jahda) oaths (i.e. took it to limits)" 5:53

Which means to complete and to end their promise. So al-Juhd and al-Jihad linguistically is to sacrifice to ones utmost according to a person's ability with strength, in order to obtain the beloved or to avert the hated / see Lisan-ul-'Arab and al-Qaamoos al-Muheet.

### **Al-Jihad legally in Shar'iah:**

The four Fuqaha' have agreed that al-Jihad is al-Qitaal (fighting) and to help there in (i.e. in Qitaal).

To you is the definition of the four jurists:

#### **1. Al-Hanafiyyah:**

It says in Fath al-Qadeer by Ibn Humaam 5/187: "al-Jihad: calling the Kuffar to the religion of truth and to fight them if they do not accept". al-Kasaani said in al-Bada'i', 9/4299 "To sacrifice ones strength and energy in Fighting in the way of Allah 'Azza wa-Jal with ones life, property and the tongue and whatever besides".

#### **2. Al-Maalikiyah:**

For a Muslim to fight against a Kaafir who is not under oath, to raise the word of Allah, or if he (Kaafir) is in his (Muslim's) presence (in order to attack him), or upon his (Kaafir) entering his (Muslim's) land. (Haashiya al-'Adawi/as-Sa'eedi 2/2 and ash-Sharh as-Sagheer/Aqrab al-Masaalik by ad-Dardeer 2/267)

#### **3. Ash-Shaafii'iyah:**

Al-Baajawari said, "al-Jihad means: al-Qitaal (fighting) in the way of Allah", al-Baajawari / Ibnul-Qaasim 2/261. Ibn Hajar said in al-Fath 6/2, "...and legally (it means) sacrificial striving in fighting the Kuffar"

#### **4. Al-Hanbaliyah:**

"To Fight the Kuffar" see Mataalibu Ulin-Nahi 2/497. "al-Jihad is al-Qitaal (fighting) and to sacrifice all strength in it to raise the Word of Allah", see Umdatul-Fiqh p.166, and Muntahal-Iraadaat 1/302.

### **The Conclusive Statement:**

Indeed whenever the word "Jihad" is spoken then verily it means al-Qitaal (fighting), and the phrase "Fee Sabeelillah" (in the way of Allah) is spoken then surely it means al-Jihad.

Ibn Rushd said in his Muqaddamaat 1/369: "...and Jihad of the Sword: to fight the Mushrikeen for the Deen. So whoever tires himself for the sake of Allah, he strove in the way of Allah. Except that

when 'Jihaad Feesabeelillah' is said, then it cannot be applied (to everything) in general except striving against the Kuffar with the sword until they enter Islam, or pay the Jizya with willing submission and they are under humiliation".

Ibn Hajar said in Fath al-Baari 6/29: "...and by the phrase Feesabeelillah, Jihaad is implied"

**Source:** [http://ee.1asphost.com/raehatualmisk/linguistically\\_legally.html](http://ee.1asphost.com/raehatualmisk/linguistically_legally.html)